IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP NO. 15454 of 2006

DATE OF DECISION: 26.9.2006

Harcharan Kaur and others ..Petitioners

Versus

State of Punjab and others ....Respondents.

CORAM: HON'BLE MR.JUSTICE J.S. KHEHAR
HON'BLE MR. JUSTICE S.D. ANAND

PRESENT: Mr. T.P.S. Chawla, Advocate for the petitioners.

J.S. Khehar, J. (oral)

Through the instant writ petition, the petitioners claim study leave during the period they had undergone the General Nursing `A' Grade Course. Besides the fact that the aforesaid claim of the petitioners is based on an order passed by this Court in Sukhbir Kaur and others V. State of Punjab and others (CWP No.2121 of 1995 decided on 29.5.2003), learned counsel for the petitioners states that the petitioners had addressed a legal notice to the respondents, copy whereof has been placed on the record of this case as Annexure P4. It is, however, pointed out that no decision has been taken thereon till date.

Learned counsel for the petitioners states that the petitioners will be satisfied if the instant writ petition is disposed of with a direction to respondent No.2 i.e. the Director, Health and Family Welfare Department, Punjab, requiring him to take a final decision on the legal notice (Annexure P4).

Notice of motion.

On our asking, Mr. Ashok Aggarwal, Additional Advocate General, Punjab, accepts notice on behalf of respondents No.1 to 3. Learned counsel for the respondents states that he has no objection to the disposal of the instant writ petition in terms of the prayer made by the learned counsel for the petitioners.

In view of the above, without going into the merits of the claim raised by the petitioners, we consider it just and appropriate to dispose of the instant writ petition by directing respondent No.2 i.e. the Director, Health and Family Welfare Department, Punjab, to take a final decision on the legal notice (Annexure P4), by passing a well reasoned speaking order within three months from the date of receipt of a certified copy of this order. It would be appreciated if respondent No.2, while passing the aforesaid order, takes into consideration the decision rendered by this Court in Sukhbir Kaur's case (supra), as well as, any other relevant judgment on the point. In case the petitioners are found entitled to any monetary benefits, the same shall be calculated and released to them within a further period of one month.

Disposed of accordingly.

Order dasti, on payment of usual charges.

(J.S. Khehar)
Judge

(S.D. Anand)
Judge

September 26, 2006.
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